PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application

Curtis Heisey et al.

MAY 1 7 2005

Application No.

10/016,597

Filed

October 26, 2001

Confirmation No.

6523

For

INTELLIGENT DEVICE UPGRADE ENGINE

Examiner

Kiss, Eric

Attorney's Docket

SYNER-177XX

TC Art Unit: 2122

I hereby certify that this correspondence is being sent via facsimile to Examiner Eric Kiss, TC Art Unit 2122, Fax No. (703) 872 9306, on May 17, 2005

Registration No. 39,236 Attorney for Applicant(s)

AMENDMENT

Via Facsimile Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir.

in response to the Office Action dated December 17, 2004, please amend the aboveidentified patent application as follows.

5/18/2005 SDIRETA1 00000016 230804 10016597

1 FC:1201 2 FC:1202

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WEINGARTEN, SCHURGEN GAGNEEN & LEBOVICHUR TEL (617) HIL-2198

PAGE 3/15 * RCVD AT 5/17/2005 5:00:58 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-(10 * DHIS:8729305 * CSID:6176950892 * DURATION (mm-ss):04-62